IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3074 OF 2005

Tulsiram Udairam Purohit .. Petitioner

versus

Jolly Bhavan No.2 Commercial Coop Society Ltd & ors .. Respondents

Mr.N.R.Bubna for Petitioner

Respondents nos. 1,2,4 and 5 are served

CORAM : D.G.KARNIK, J

DATED : 27th January, 2006

P.C.

1. Heard learned counsel for the petitioner. The petitioner had filed a suit bearing R.A.D. Suit No.1998 of 1992 in the Small Causes Court, Mumbai for a declaration that he is a tenant in respect of the suit premises. The suit was dismissed and the judgment of the trial Court was confirmed by the appellate bench of the Small Causes.

2. At this stage, learned counsel for the petitioner seeks leave to withdraw the suit unconditionally. Since the leave is sought for withdrawal of the suit unconditionally, I see no

reason to refuse the leave. Accordingly, Suit No. 1998 of 1992 stands dismissed as withdrawn. In view of the withdrawal of the suit, the Writ Petition does not survive and is dismissed.

(D.G. KARNIK, J)